

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

In re DYNAMIC RANDOM ACCESS  
MEMORY (DRAM) ANTITRUST  
LITIGATION

No. M 02-1486 PJH

**ORDER RE ADMINISTRATIVE  
MOTION TO RELATE CASES**

This Document Relates To:

ALL ACTIONS

This Document Also Relates To:

Sun Microsystems v. Hynix et al. (C 06-1665 PJH)  
Unisys Corp. v. Hynix et al. (C 06-2915 PJH)  
Honeywell Int'l v. Hynix et al. (C 06-2917 PJH)  
State of California et al. v. Infineon AG et al. (C 06-4333 PJH)  
State of New York v. Micron et al. (C 06-6436 PJH)

Before the court is a joint administrative motion filed by plaintiffs and defendants in actions other than those listed above, seeking to relate twelve cases recently filed in this district to the In re DRAM litigation currently pending before this court. The newly filed cases purportedly concern many of the same parties and similar allegations as the In re DRAM cases, although they are based on a different product – static random access memory (“SRAM”).

As the parties note in their motion, however, the newly filed cases are presently the subject of a request for consolidation before the Judicial Panel on Multidistrict Litigation (“JPML”), pursuant to 28 U.S.C. § 1407. That request specifically seeks to consolidate all SRAM cases in this district, whether filed here or in other districts originally.

Until the JPML reaches a decision on that request, this court cannot know for sure whether the twelve newly filed cases will be consolidated for multidistrict litigation purposes, and whether, if so, they will be consolidated for pretrial purposes in this district.

1 Accordingly, until the JPML issues its decision on the request pending before it, this court  
2 will not issue a decision whether to relate the newly filed cases or not. The court at this  
3 juncture therefore DENIES the parties' administrative motion to relate the newly filed cases  
4 without prejudice. The parties are free to file a renewed administrative motion, once the  
5 JPML has issued a ruling on the matter.

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7 **IT IS SO ORDERED.**

8 Dated: November 15, 2006



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PHYLLIS J. HAMILTON  
United States District Judge